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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
NORTH CENTRAL DIVISION
Washington, D. C.

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U. S. Department of Agriculture

Re: PROCEDURE FOR COUNTY COMMITTEES IN CASES INVOLVING UNDELIVERED
CHECKS, LOST CHECKS, AND ADJUSTMENTS.

I. REASONS FOR RETURNING TREASURY CHECKS OR FOR MAKING REFUNDS

- A. Where the payee cannot be located.
- B. Where the payee refuses to accept his check.
- C. Where the amount of the check is in excess of that due the applicant.
- D. Where the payee is deceased or has been declared incompetent.
- E. Where the name of the payee has been improperly designated on the check.
- F. Where doubt arises as to the right of the payee to receive the check.
- G. Where the amount of the check is less than the amount shown on ACP-13A.
- H. Where the name of the payee appears on the list of the names of persons indebted to the United States Government.

II. PROCEDURE TO BE FOLLOWED IN CONNECTION WITH RETURNED TREASURY CHECKS.

- A. Period of retention of check in the county office.
 - 1. All Treasury checks which remain undelivered after the twenty-first day after they have been received in the county office must be returned to the Regional Disbursing Office which issued such check (hereinafter referred to as the Disbursing Office).
 - a. Such letter shall be signed by the treasurer of the county agricultural conservation association (hereinafter referred to as the treasurer) or by a member of the county committee.
 - b. Shall indicate the State and county code and the serial number of the application for payment (hereinafter referred to as application) under which such check was issued.
 - c. Shall indicate the name of the applicant.

- d. Shall indicate the Administrative number of ACP-13A on which the check was listed.
- e. Shall indicate the number of the check, and
- f. Shall state the reason why the check is returned.

B. Procedure for returning checks to the Disbursing Office.

- 1. Return the check to the Disbursing Office together with a letter of explanation setting forth the reason for the return of the check.
- 2. Transmit to the State office a copy of the letter, which accompanied the check to the Disbursing Office, and all forms or data necessary to effect a settlement of the case.
 - a. Such letter shall be signed by the treasurer of the county agricultural conservation association or by a member of the county committee
 - b. Shall indicate the State and county code and the serial number of the application under which such check was issued, and
 - c. Shall indicate the name of the applicant
 - d. Shall indicate the administrative number of ACP-13A on which the check was listed
 - e. Shall indicate the number of the check, and
 - f. Shall state the reason why the check is returned.

C. Procedure for having returned check delivered to payee

If the payee is located after his check has been returned to the Disbursing Office, a request for the return of such check shall be addressed to the State office. Likewise, if a payee decides to accept his check after it has been returned to the Disbursing Office, a request for the return of such check shall be addressed to the State office. In such cases, the reason for requesting the return of the check shall be given. The request shall be signed by the payee and shall contain the following information.

- 1. State and county code and serial number of application under which the check was issued
- 2. Check number
- 3. The administrative number of the ACP-13A on which the check was listed, and

4. Present address of the payee.

III. PROCEDURE TO BE FOLLOWED IN MAKING REFUNDS

A. Form of Refund

1. All refund remittances must be in the form of a money order, cashier's check, or certified check.
2. All remittances must be drawn payable to the order of "Treasurer, United States".

B. Procedure for making the refund

1. All refunds must be sent to the State office together with a letter (in duplicate) which shall indicate
 - a. The amount of the refund
 - b. The form of the remittance (money order, certified check, cashier's check) and upon whom drawn (X Bank, etc.)
 - c. The name of the applicant whose account is to be credited
 - d. The State and county code and the serial number of the application in connection with which the refund is made.
 - e. The reasons for making the refund
2. If any corrected forms or additional data are necessary to enable a satisfactory settlement of the case, such forms and data should accompany the refund to the State office.

C. Amount of Refund to be Made.

1. Every precaution should be exercised to see that the refund is in the correct amount since the records of the Treasury Department, General Accounting Office, and Agricultural Adjustment Administration are affected thereby.
2. If there is any doubt as to the amount of the refund due, the State office should be consulted before the refund is made.

IV. PROCEDURE TO BE FOLLOWED IN CONNECTION WITH LOST, STOLEN, OR MUTILATED CHECKS

- A. In the event a check is lost, stolen, or destroyed the Disbursing Office which issued the check shall be notified as soon as possible, inasmuch as such matters come within

the exclusive jurisdiction of the Treasury Department. If the check is found after the Disbursing Office has been notified that the check was lost, it should not be presented for payment for at least seven days after the Disbursing Office has been notified that the check has been found. In this way the Treasury Department will have sufficient time to withdraw the stoppage against the check so that it will be honored when it is presented for payment.

V. PROCEDURE TO BE FOLLOWED WHEN THE AMOUNT OF THE CHECK IS INCORRECT OR THE PAYEE'S NAME IS INCORRECT

A. Check drawn for less than the amount due the applicant

1. Error made in State office

a. If the application was correctly executed, and if the amount of the check agrees with the amount shown on ACP-13A, the check shall be delivered to the applicant and he should be advised that the acceptance of such check will not prejudice his right to file a claim within a reasonable time for the balance claimed to be due. In such cases, if the applicant desires to file a claim for the balance the county committee shall prepare a dummy application, using the file copy in the county office as a guide, and shall insert on such application the words "Dummy Application". The dummy application shall bear the same serial number as the original application, except that the serial number shall be followed by the letter "A". For example, if the original serial number was 48-011-1121 the dummy application shall bear the serial number 48-011-1121A. The dummy application shall contain all the data on the original application but need not be signed by the farm reporter, county committee, or the applicant. In such cases, the applicant may present his claim in writing to the State office. The claim shall consist of

- (1) A statement of the facts upon which the applicant bases his claim
- (2) The number of the check issued under the original application
- (3) The amount of such check, and
- (4) The fact that the original application was correctly executed.

b. The statement of claim in such cases must be

- (1) Signed by the applicant, and
- (2) Certified by a member of the county committee who shall sign on behalf of the committee.

2. Error made in county office

- a. If the application was incorrectly executed, the check should be delivered to the applicant as indicated in V, A, 1, supra. In such cases a corrected application shall be submitted.
 - (1) Signed by the applicant, and certified by the farm reporter and a member of the county committee who shall sign on behalf of the county committee
 - (2) Bearing the serial number of the original application, except that such serial number shall be followed by the letter "A".
- b. There must be submitted with such corrected application, a statement of claim which shall consist of
 - (1) A statement of the facts upon which the applicant bases his claim
 - (2) The number of the check issued under the original application.
 - (3) The amount of such check.
- c. The statement of claim in such cases must be
 - (1) Signed by the applicant
 - (2) Certified by the farm reporter, and
 - (3) Certified by a member of the county committee who shall sign on behalf of the committee.
- d. If the farm reporter has been discharged or if he is not available, the statement of claim shall indicate this fact and if the reason for the claim is due to an error on the part of the farm reporter, it shall be shown that the corrected records of the farm reporter form the basis of the claim. If the summary of performance which was submitted to the State office was also incorrect, a corrected summary of performance shall accompany the corrected application.

3. Error made in Disbursing Office

- a. If the application was correctly executed and if the amount of the check is less than the amount shown on ACP-13A, the check shall not be delivered to the payee but shall be returned to the Disbursing Office with a request that a corrected check be issued.

B. Check drawn for more than the amount due the applicant

1. Error made in the State office

- a. If the application was correctly executed and if the amount of the check agrees with the amount shown on ACP-13A, a letter signed by a member of the county committee shall be forwarded to the State office at the same time the check is returned to the Disbursing Office. This letter shall set forth the facts and circumstances surrounding the case and shall indicate that the amount of the check was in excess of that which was due the applicant and that the original application was correctly executed. A dummy application shall be prepared in accordance with the instructions outlined in V, A, 1, supra, and shall be forwarded to the State office with the letter from the county committee indicating that the check was improperly drawn.

2. Error made in the county office

- a. If the application was incorrectly executed, and the amount of the check was in excess of that due the applicant, the applicant need not sign a corrected application as set forth in V, A, 2, supra. In such cases, a corrected application and a statement of explanation shall be prepared in the county office and both the corrected application and the statement shall be signed by a member of the county committee who shall sign on behalf of the committee, and by the farm reporter and shall be forwarded to the State office. The corrected application shall bear the same serial number as the original application except that the serial number on the corrected application shall be followed by the letter "A". If the farm reporter is not available, the comments set forth in V, A, 2, supra, will be applicable. If the summary of performance was improperly executed, a corrected summary of performance shall accompany the corrected application and the statement of explanation.

3. Error made in Disbursing Office.

- a. If the application was correctly executed and if the amount of the check was in excess of the amount shown on ACP-13A, the check shall be returned to the Disbursing Office with a request that a corrected check be prepared.

C. Check drawn in favor of the wrong payee

1. Error made in State office

- a. If the application was correctly executed, a letter indicating that the payee's name has been improperly designated on the check shall be signed by a member of the county committee and shall be forwarded to the State office at the same time the check is returned to the Disbursing Office. In such cases, a dummy application shall be prepared and submitted to the State office. In such cases sections II, III, and IV of the dummy application need not be executed. A serial number shall be assigned such application as indicated in V, A, 1, supra.

2. Error made in county office

- a. If the application was incorrectly executed, the claimant shall present his claim in writing to the State office, together with a corrected application. A serial number shall be assigned the corrected application as indicated in V, A, 1, supra. Both the statement of claim and the corrected application must be signed by the applicant, a farm reporter, and a member of the county committee, who shall sign on behalf of the county committee. If the farm reporter is not available the comments set forth in V, A, 2, supra, shall be applicable.

3. Error made in Disbursing Office

- a. If the application was correctly executed and if the name on the check does not agree with the name shown on ACP-13A, the check shall be returned to the Disbursing Office with a request that a corrected check be issued.

VI. PROCEDURE TO BE FOLLOWED WHEN APPLICANT IS DECEASED OR DECLARED INCOMPETENT

A. Before a check has been issued

- I. In cases where a person submitted an application and died or was declared incompetent by a court of competent juris-

diction prior to the time that the check issued under such application was received in the county office, a letter shall be sent to the State office as soon as possible indicating that the applicant died or was declared incompetent, as the case may be. In such cases, a corrected application shall be submitted properly signed by the executor, administrator, or guardian, as the case may be, if one has been appointed, or by the heirs of the deceased applicant in the event that an administrator or executor has not been appointed and no administration is contemplated. Such corrected application must be certified by a member of the county committee and the farm reporter. The corrected application shall bear the same serial number as the original application.

B. After a check has been issued

1. In cases where a person submitted an application and died or was declared incompetent by a court of competent jurisdiction after a check drawn in his favor was received in the county office, the check shall be returned to the Disbursing Office. Standard Form No. 1055, "Application for Payment of Amounts Due Deceased or Incompetent Civil Employees, Officers, and Enlisted Men in the Military Service and Public Creditors of the United States" shall be prepared by the county committee and submitted to the personal representative of the deceased or incompetent for signature. If no administrator, executor, or guardian has been appointed and it is not expected that there will be any administration upon the estate of the deceased or incompetent, Standard Form No. 1055 should be signed, in the case of a deceased person by one of the heirs of the deceased who has reached the age of 21, and in the case of an incompetent, by some person eligible to be appointed as guardian or committee for such incompetent. Care should be taken to see that this form is executed in every detail and in accordance with the instructions thereon. If only an initial payment has been issued in favor of the deceased or incompetent, the amount of the check shall be shown in Section 3, followed by the words "and such other payment as may be due under application No. ____." If Form No. 1055 is signed by a personal representative such as an administrator, executor, or guardian, such person shall attach to the form a certified copy of his letters of authority. When properly executed and attested, Form No. 1055 shall be mailed to the State office for transmission to the Claims Division of the General Accounting Office, Washington, D. C.

VII. PROCEDURE TO BE FOLLOWED WHEN ERROR WAS MADE IN EXECUTION OF THE ORIGINAL APPLICATION

A. Discovered before check has been issued

1. In a case where a person submitted an application, and if prior to the time the check issued under such application was received in the county office, the county committee discovers that such application was improperly prepared or executed in that

- a. the application was signed by the wrong party,
- b. the application contained incorrect data,
- c. the application was submitted on an NCR-12 when it should have been submitted on an NCR-15, or vice versa,

a corrected application executed in the regular manner shall be submitted to the State office with a request that the original application be withdrawn and that the corrected application be substituted therefor. Whenever possible, the corrected application shall bear the same serial number as the original application. If two or more corrected applications are submitted in lieu of one application, or if one corrected application is submitted in lieu of two or more applications, no serial numbers shall be assigned to such corrected applications. In such cases the State office shall assign serial numbers in accordance with the instructions set forth in Part II, Section I, Paragraph 2, Item c of NCR-20, Revised.

B. Discovered after check has been issued

1. If, after a check has been issued under an application, it is discovered that the applicant executed an NCR-12 when he should have executed an NCR-15 or vice versa, the applicant shall be required to execute a corrected application or applications, as the case may be. Such corrected applications shall be certified by the farm reporter and a member of the county committee.

If the check issued under such application has not been cashed, it shall be returned to the Disbursing Office, accompanied by a statement indicating the reason for the return of such check. Every effort should be made to see that the checks issued under such applications are returned, as this will greatly facilitate the settlement and satisfactory disposition of such cases.

In the event such check has been cashed, the statement accompanying the corrected application shall indicate:

- a. the name of the payee,
- b. the amount of the check,
- c. the check number, if known,
- d. the serial number of the application under which the check was issued,
- e. the fact that the check has been cashed, and
- f. the facts and circumstances surrounding the erroneous execution of the original application.

VIII. PROCEDURE TO BE FOLLOWED WHERE MORE THAN ONE PARTY HAS AN INTEREST IN THE APPLICATION

In most cases there will not be more than one applicant on the same application for payment. However, in cases where there are two or more applicants on a single application for payment, each applicant who has an interest in the additional payment which is claimed to be due, must sign both the corrected application for payment and the statement of claim. If one of the applicants affected by the claim is not available to sign the corrected application for payment and statement of claim, the other applicants may submit a claim for their respective shares of such payment. However, in such cases, the interest of the applicant who does not sign the corrected application, must be shown in the same manner as was done on the original application for payment in a case where one of the applicants was not available to sign.